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# The Department of Conservation

The California Department of Conservation (Department) administers a variety of programs important to California's environment, economy, and public safety. With a team of geologists, engineers, scientists and other dedicated professionals, the Department studies seismic hazards; regulates oil, gas, and geothermal wells; guides mining and mineral resource activities; promotes and oversees beverage container recycling; and administers farmland preservation programs. Although our programs are varied, there is a unifying theme – land use. Whether it is to ensure that a housing development is built away from an



earthquake fault line or that an oil well is safely plugged, the
Department's information and expertise is critical to California's
land use decision-making processes. Governmental entities,
the private sector, and the general public use our data and

staff expertise when permitting or regulating uses on California's lands.



Darryl Young

The Department employs approximately 750 people and is headed by the Director, Darryl Young.

#### THE DEPARTMENT'S MISSION STATEMENT

The Department of Conservation's mission is to protect Californian's and their environment by:

- ✓ Protecting lives and property from earthquakes and landslides.
- ✓ Ensuring safe mining and oil and gas drilling.
- ✓ Conserving California's farmland.
- ✓ Saving energy and stopping waste through recycling.



#### THE DEPARTMENT'S VISION STATEMENT

With a diverse mission, the people of the Department of Conservation are recognized leaders in delivering vital, innovative, resourceful and cost-effective public service.

We are passionate about our duty to public safety, conservation, and protecting the environment.

#### THE DEPARTMENT'S CORE VALUES

The Department of Conservation connects resources to opportunities. We connect challenges to the needs of the people of California. We bridge our statewide resources – the people, knowledge, financial capital, and technology – to discover new possibilities.

These connections begin with and are nurtured by the following:

**Cooperation** – Our greatest asset is a passionate, talented group of people who work well individually, on a team, and as leaders in the Department and community. We communicate openly and cultivate mutual understanding and trust. We work together well because we are respectful and have a common sense of purpose.

**Versatility -** We move quickly and easily in response to challenges and opportunities. Known for our ability to get things done, we anticipate as well as respond to our clients' needs.

**Leadership** – We lead by example. We continuously seek to improve our services and we embrace, rather than fear, change. We understand the connection between our Department's mission and society's needs.

**Activism -** We are dedicated professionals and committed to the entrepreneurial marketing of DOC's unique and diverse skills and services.

**Credibility -** We are experts in diverse disciplines. We apply our expertise by creating effective solutions to public health and safety issues. We are impartial, dependable, and accountable.



#### THE DEPARTMENT'S PROGRAMS

In addition to the Division of Recycling, the Department is comprised of the following program divisions:

**The Division of Land Resource Protection (DLRP)** monitors and protects California's farmland and soil resources through the California Land Conservation (Williamson) Act, the

Agricultural Land Stewardship Program, the Farmland Mapping and Monitoring Program, and local resource conservation districts. These programs have helped sustain California's \$27 billion a year agriculture economy. Technical information and assistance is provided in the form of important farmland maps, voluntary tax incentives for farmers, grant funding to local governments and non-profit organizations for conservation easements, and grants and



training for resource conservation districts. These services help landowners keep parcels in agricultural or open-space use, assist in local planning decisions, and support watershed management.

The California Geologic Survey (CGS) develops and disseminates technical information and



advice on California's geology, geologic hazards, and mineral resources. The Division is a resource for scientific information concerning California's geologic, seismologic and volcanologic hazards, earthquake engineering, and mineral resources. This information is used for land-use decisions, the development of mineral resources, mitigation of property damage and protection from geologic hazards, and safeguarding of the State's environment and natural resources. With a history that traces back more than 115 years, the

Division is one of the oldest geological surveys in the United States.

The Office of Mine Reclamation (OMR) provides information and technical advice to ensure that the State's surface mines are environmentally sound and reclaimed to usable condition once mining has terminated. In addition, it is responsible for creating an inventory of the State's active mines and historic and inactive mines.

**State Mining and Geology Board (SMGB)** formulates regulations that assist local government and industry in meeting State laws governing surface mining, mineral resource development, seismic hazards, and earthquake faults. The Board operates within the Department, and is granted certain autonomous responsibilities. It serves as a regulatory, policy, and appeals body representing the State's interest in geology, geologic and seismologic hazards, conservation of mineral resources, and reclamation of land following surface mining activities.



The Division of Oil, Gas, and Geothermal Resources (DOGGR)

supervises the drilling, operation, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. It also oversees the operation, maintenance and removal or abandonment of facilities attendant to these wells and their surrounding property. Through the enforcement of regulations, the Division encourages sound engineering practices and prudent development of hydrocarbon and geothermal resources.

In addition to the program divisions, the Department has several offices that perform administrative functions. These offices are:

**Administrative Services Office (ASO)** - Primarily manages the Department's facilities including acquiring office space, coordinating changes to individual offices and establishing phone lines. In addition, ASO distributes the mail throughout the

Department, manages the warehouse and oversees the establishment of contracts and the procurement of goods and services.

**Human Resources (HR)** – Manages the personnel functions for the Department's employees. This includes recruiting and hiring staff, tracking staff's payscales, benefits and leave balances, providing guidance on personnel-related issues and maintaining the official historical file on each employee.

**Budget Office** – Establishes the budgets for all of the Department's programs. This office is the Department's advocate to the Legislature and Department of Finance when program divisions need changes to their authorized budgets.

**Accounting Office** – Manages all of the money coming in and going out of the 19 different funds within the Department. In addition, the Accounting Office is responsible for the year-end financial statements that are provided to the Department of Finance and the State Controller's Office and pays departmental bills and invoices..

**Public Affairs Office (PAO)** – Provides the general public and the Department's stakeholders with information on the Department's programs and accomplishments. This is primarily done through the media and by attending local events. PAO also produces the biweekly employee newsletter, What's Up DOC, that is located in Outlook's public folders.

**Legal Office** – Provides legal services for the Department's programs, including prosecution and defense for cases that arise from departmental regulatory enforcement actions.

Office of Technology Services (OTS) – Manages the computer software and hardware utilized throughout the Department. This includes acquiring and installing new systems, developing new applications and providing assistance to all staff through their Help Desk.

Office of Governmental and Environmental Relations (OGER) – Handles all of the legislative issues for the Department including drafting new legislation, coordinating all bill analyses, representing the Department at legislative hearings and acting as the Department's liaison with legislative offices.

**Quality Management and Strategic Planning** – Coordinates the Department's strategic planning process and quality improvement programs.

**Equal Employment Opportunity** - Ensures the Department maintains an environment of employment equality.

# The Division of Recycling

#### **Program History**

The Beverage Container Recycling and Litter Reduction Act (Act) was created by Chapter 624, Statutes of 1986. The enabling legislation, Assembly Bill 2020, was crafted to establish a comprehensive Beverage Container Recycling Program (Program) aimed at making beverage container recycling integral to the California economy. Commonly, this Program may be referred to as the "Bottle Bill" or "2020" Program. What distinguishes the California recycling program from the bottle-deposit programs established in other states is the collection and redistribution of processing fees and redemption values as a means of stimulating the market for used beverage containers. The challenge is to achieve the balance in which the incentives to recycle are sufficient to promote the reuse of beverage containers.

On October 8, 1999, the Governor signed SB 332 (Sher, Chapter 815/99) and AB 1244 (Olberg, Chapter 817/99). SB 332 made substantive changes to the recycling program by adding new beverage types, revising the calculation of processing fees, and adding a number of new expenditure programs for recycling-related activities. AB 1244 served as a trailer bill to SB 332, providing clean-up language and making numerous minor changes to the Program.

On September 25, 2000, the Governor signed SB 1906 (Sher, Chapter 731/2000). The more significant changes made by this bill were the addition of vegetable juice to the list of beverages included in the Program and the clarification of the definitions of noncarbonated soft drink, infant formula and medical food. In addition, numerous changes were made that amended or added to the Division's enforcement capabilities.

On October 10, 2003, the Governor signed AB 28 (Jackson, et al., Chapter 753/2003). This bill took effect on January 1, 2004 causing several significant changes to the Program. These include increasing the California Refund Value to \$.04/.08, increasing the handling fees paid to recycling centers and revising the calculation and payment of processing fees. New programs that were established include a Market Development Grant Program, a Recycling Infrastructure Loan Guarantee Program and a Reverse Vending Machine Pilot Program.

The entire law governing this Program begins with Public Resources Code Section 14500. Regulations, which help to clarify this body of law, are found in the California Code of Regulations, Title 14, Division 2, Chapter 5.

#### Program Goals

The primary goal of the Recycling Program is to achieve an 80 percent recycling rate for all aluminum, glass, plastic, and bimetal beverage containers sold in California, thereby reducing

the beverage container component of litter in the State. In addition, the Recycling Program is charged with several other broad mandates or goals. It must:

Ensure that every container type proves its own recyclability;

- → Make redemption and recycling convenient to consumers; and
- → Create and maintain a profitable beverage container recycling market.

On an annual basis, the Division develops a strategic plan designed to help us achieve our program goals. The plan and the associated action plans describe the specific steps that will be taken over the next year to achieve our goals. You can acquire a copy of the current strategic plan and action plan from your supervisor.

#### How Does the Program Work?

#### **Beverage Containers**

The following beverage types sold in aluminum, glass, plastic, and bimetal containers are included in the Program:

- → Beer and other malt beverages;
- → Wine and distilled spirit coolers;
- Carbonated and noncarbonated water, soda and mineral water, and similar drinks;
- Carbonated and noncarbonated soft drinks and sport drinks;
- Carbonated and noncarbonated fruit drinks that contain any percentage of fruit juice;
- → Vegetable juice in containers of 16 ounces or less; and
- Coffee and tea drinks.

Beverage containers that are included in the program are required to have a CRV message on the label. This message may read "California Redemption Value", "CA Redemption Value", "California Cash Refund" or "CA Cash Refund". In addition, containers less than 24 ounces may bear the message "CA 4¢" and containers 24 ounces or more may read "CA 8¢".

The following beverages are excluded from the Program:

- Any product sold in a container that is not aluminum, glass, plastic, or bimetal;
- Wine, or wine from which alcohol has been removed, in whole or in part, whether or not sparkling or carbonated;
- → Milk;
- Medical food;
- Infant formula;
- → 100% fruit juice in containers 46 ounces or greater in volume;
- → Vegetable juices in containers greater than 16 ounces;
- → Distilled spirits; and
- Other beverages not specifically included in law.





#### Redemption Payments and California Refund Value

The Recycling Program is funded through redemption payments made to the Department by beverage distributors on each beverage they sell to a store. This product cost is passed on to consumers when they pay California Refund Value (CRV) on purchased beverages. The redemption payment revenues are deposited in the California Beverage Container Recycling Fund (Fund). Monies in the Fund are used to pay CRV to consumers when they redeem their empty beverage containers at certified recycling centers.

The following table shows the redemption payment and CRV rates per container as of January 1, 2004:

2004 Per Container Rates For All Material Types				
Container Size	CRV paid by beverage distributors to DOR	CRV paid by DOR to public		
Less than 24 ounces:	\$0.04	\$0.04		
24 ounces or more:	\$0.08	\$0.08		

On July 1, 2007, if the overall recycling rate is not at least 75%, the following CRV rates per container become effective:

July 2007 Per Container Rates For All Material Types					
CRV paid by beverage CRV paid by Container Size distributors to DOR DOR to public					
Less than 24 ounces:	\$0.05	\$0.05			
24 ounces or more:	\$0.10	\$0.10			

Since not all beverage containers are recycled, unclaimed CRV remains in the Fund, and is used for:

- Quality Glass Incentive Payments \$3 million per year to processors and curbside recycling programs to promote the color sorting of glass containers;
- Handling Fees Annual payments of \$26.5 million to supermarket-sited recycling centers (\$2,300 per site maximum);
- Curbside Supplemental Payments Annual payments of \$15 million to curbside recycling programs;
- → **Keep California Beautiful** \$300,000 annually up until January 1, 2005 to fund an anti-litter campaign;
- Recycling Market Development Grants \$10 million per year until January 1, 2007;
- Grants to Local Conservation Corps \$15 million per year plus a cost-of-living adjustment (COLA);
- → Recycling and Litter Reduction Grants \$1.5 million per year;
- Payments to Cities and Counties \$10.5 million per year for beverage container recycling and litter cleanup activities;
- Recycling Infrastructure Loan Guarantees Up to \$10 million to guarantee loans for new recycling infrastructure;
- Public Education \$5 million per year to fund a statewide public education and information campaign;
- Processing Fees Offsets for Beverage Manufacturers Approximately \$95 million is used annually to lower the costs of processing fees assessed on beverage manufacturers for the sale of beverages sold in glass and plastic containers; and
- → **Program Administration** Approximately \$30 million per year supports the Division of Recycling and Department of Conservation.

The redemption payment/CRV mechanism encourages consumers to redeem their used beverage containers. While this produces a large supply of used beverage containers, it may still be less expensive for manufacturers to use virgin materials than to pay the costs for recycled containers. In such circumstances, where the cost to recycle is greater than the scrap value of the material, the Recycling Program imposes a processing fee.

#### **Processing Fees**

A primary goal of the Recycling Program is to foster beverage container recycling throughout the State. The success of this effort depends on the economic viability of the certified recyclers who are required to accept empty beverage containers. When the cost of recycling a particular type of beverage container exceeds the scrap value of that container, the Department must assess a processing fee on that container type. Beverage

manufacturers pay processing fees to the Department and are to be credited in that amount by the container manufacturers. The Department forwards these revenues as 'processing 01/13/04 9 Employee Program Guide

payments' to processors who in turn pass a portion of them on to recyclers. The processing fee causes beverage container manufacturers to internalize the cost of recycling containers. It also helps to ensure a stable recycling infrastructure.

As of January 1, 2004, processing fees are being assessed on glass, plastic and bimetal beverage containers because their scrap value is not sufficient to cover their recycling costs. Aluminum beverage containers are not assessed a processing fee because the scrap value of aluminum exceeds its recycling costs.

#### **Recycling Opportunities**

One of the Program's primary strengths is the wide variety of convenient recycling opportunities that are now available to the state's diverse population. The number of recycling centers has

increased more than fivefold since the Recycling Program began, growing from approximately 500 in 1987 to nearly 2,000 in 2004. Curbside collection programs serve approximately 67 percent of all single-family households, and 56 percent of all multi-family households. The number of curbside programs now exceeds 500, more than tripling the number of curbside programs that existed before the Department began registering them in 1989. The increasing number of curbside programs helps to make recycling convenient and contributes to growth in recycling rates.

There are five principal types of recycling operations that serve the public: staffed recycling centers, automated recycling centers (reverse vending machines), dropoff or collection programs, community service programs and curbside programs.

Staffed Recycling Centers - Staffed recycling ("buyback") centers usually consist of a portable shed, kiosk, or trailer, a small scale and storage containers for recycled materials. They are generally operated by a single employee and must be open for business a minimum of 30 hours each week. The Division may certify a staffed recycling center to operate less than 30 hours per week if it is located in a designated rural region and meets other eligibility criteria. Currently, there are just under 2,000 certified, staffed recycling centers operating in California, many of which are located in supermarket parking lots.



Some staffed recycling centers existed before the passage of the Act and are referred to as "old-line recyclers". The old-line recyclers are often located in commercial or industrial areas. They often pay a higher scrap value on empty beverage containers than do the supermarket site recyclers, providing consumers with an extra incentive to recycle. Old-line recyclers were "grandfathered" into the Program; therefore they are permitted to operate as they did before the Act. For example, they are not required to redeem all beverage container types nor are they required to be open a minimum of 30 hours per week. However, in order to attract larger

volumes of used beverage containers, many of these facilities do accept all container types and are open more than 30 hours per week. There are approximately 80 recyclers with grandfathered status still operating in California.

Automated Recycling Centers - Some areas are served by automated reverse vending machines (RVMs) that accept glass, plastic, and aluminum beverage containers and pay CRV. An automated recycling center is usually comprised of three RVMs set side-by-side near the entrance of a grocery store. Each RVM is about the size of a large refrigerator and accepts one type of beverage container. Most are

accessible 24 hours a day. There are approximately 185 RVMs, most of which are located in southern California.

- Drop-off or Collection Programs Drop-off or collection programs are typically for-profit operations that maintain convenient collection receptacles where individuals and businesses can donate their empty beverage containers. These programs are prohibited from paying refund value to the public or to other certified recycling programs. Drop-off or collection programs may also collect donated beverage containers from businesses such as bars, restaurants, hotels, motels, or office buildings. There are currently about 130 drop-off or collection programs operating in California.
- Community Service Programs While similar to dropoff or collection programs, community service programs are operated by charitable organizations or public entities. For example, a school group, such as a student council, may set up donation receptacles at various locations on campus for students to donate empty beverage containers. The program could use redemption proceeds to fund the school group's activities. Currently, there are about 112 community service programs operating in California.
- Curbside Collection Programs Many people forego the refund value and instead choose the convenience of curbside recycling programs. These programs, which typically collect material in residential neighborhoods, can be operated by local governments, private industry, or nonprofit organizations. Currently, there are approximately 516 registered curbside recycling programs statewide serving the recycling needs of more than 18 million Californians and 10 million households.

#### **Convenience Zones**

What consumers want, and what the Recycling Program endeavors to provide, is convenience. Convenient recycling opportunities are provided to the public through the program's unique convenience zone requirements. A convenience zone is the area located within a half-mile of a supermarket. (A supermarket is defined as a full-line grocery store that has

gross annual sales of at least \$2 million dollars.) Unless a convenience zone is exempted by the Division, a certified recycling center that accepts all beverage container material types and is open at least 30 hours a week must be operating within the zone. When this occurs, the zone is considered served. The exceptions to this are zones located in rural areas of the state. Rural zones can be served by rural region recyclers that accept all container types and operate less than 30 hours a week. All dealers (beverage retailers) located in

zones that are not served by a certified recycler are required to redeem

beverage containers within their stores. There are approximately 3,400 convenience zones within the state, about 900 of which are exempted from the recycling center requirement.

As an added incentive for recyclers to serve a zone, convenience zone recyclers are offered handling fees if specific conditions are met. The recycler must be the only recycler in the zone and in most cases, must be located at a dealer site. \$26.5 million dollars is available for handling fees each year with each site receiving a maximum of \$2,300 per month.

#### **Program Participants**

Program participants are businesses (and their representatives) that are directly affected by the Beverage Container Recycling Program. This includes approximately 30,000 entities as described below:

Beverage Container Manufacturer - This term refers to commercial manufacturing operations that produce beverage containers (*Reynolds Aluminum, Gallo, Owens-Brockway, Johnson Controls*, etc.).



Beverage Manufacturer - A beverage manufacturer bottles, cans, or fills beverage containers, or imports filled beverage containers, for sale to distributors, dealers, or consumers (Anheuser Busch, Coors, Gallo, Coke, Pepsi, etc.).

**Distributor** - A distributor sells beverages in beverage containers to dealers or consumers. A distributor may be a beverage manufacturer or an importer of beverages from outside of the state. Distributors include beer wholesalers (e.g., *Anheuser Busch*) and soft drink bottlers (*Coke, Pepsi, Seven-Up*, etc.) as well as companies that only distribute the beverages and are not involved in the beverage manufacturing process (*Aspen Distributing, Big Sur Beverage Company,* etc.).

▶ Dealer - This term applies generally to any retail establishment that offers the sale of beverages in beverage containers to consumers. It primarily includes grocery, liquor and convenience stores (Albertsons, Raleys, Jade Liquors, 7-11, etc.).



- Consumer This term applies to individuals who purchase beverages from a dealer and pay CRV as part of the product's price.
- Recycler or Recycling Center There are five primary types of recyclers: staffed recycling centers, automated recycling centers, dropoff or collection programs, community service programs and curbside recycling programs.

  Many of the staffed recycling centers are located at supermarket sites. (2020 Recycles, Reynolds Aluminum, Mobile Recycling, etc.). About 700 recycling centers existed before the Act and are often referred to as "old-line" recyclers (Reynolds Aluminum, Delta Scrap and Salvage, Aaron Metals

Curbside Program - Curbside programs are affiliated with local governments to pick up empty beverage containers at residences. They do not pay CRV to the consumers. These programs receive \$15 million annually from the Beverage Container Recycling Fund in addition to specified CRV reimbursement and processing fees from recyclers or processors for the containers collected (*Browning Ferris Industries, Smurfit, Waste Management, Norcal*, etc.).

Co., etc.).

- Processor Processors cancel (e.g., crush and shred beverage containers) and prepare large quantities of material for sale to beverage container manufacturers or other buyers. Processors are certified by the Division to cancel containers so they cannot be resubmitted for payment of CRV (Strategic Materials, Reynolds Aluminum, Anheuser Busch, Basic Fibers, Golden Aluminum, Schnitzer Steel Industries Inc., etc.).
- Other End User There are some businesses that use recycled beverage containers to produce new products other than beverage containers (e.g., fiberglass insulation from recycled glass beverage containers). As with beverage container manufacturers, these end users purchase recycled materials from processors.

**Note:** Many employees within the Division work with one or more of these program participants. In doing so, they may have access to the program participant's personal, confidential or proprietary information. Program participants are very protective of the information associated with their business. Typically, this is information related to the running of their business but it could also include information about the individual. Therefore, it is the responsibility of the employee to honor the participant's right to privacy and to ensure the information is not inappropriately passed on to others. The Division is under legal obligation to maintain this confidentiality.

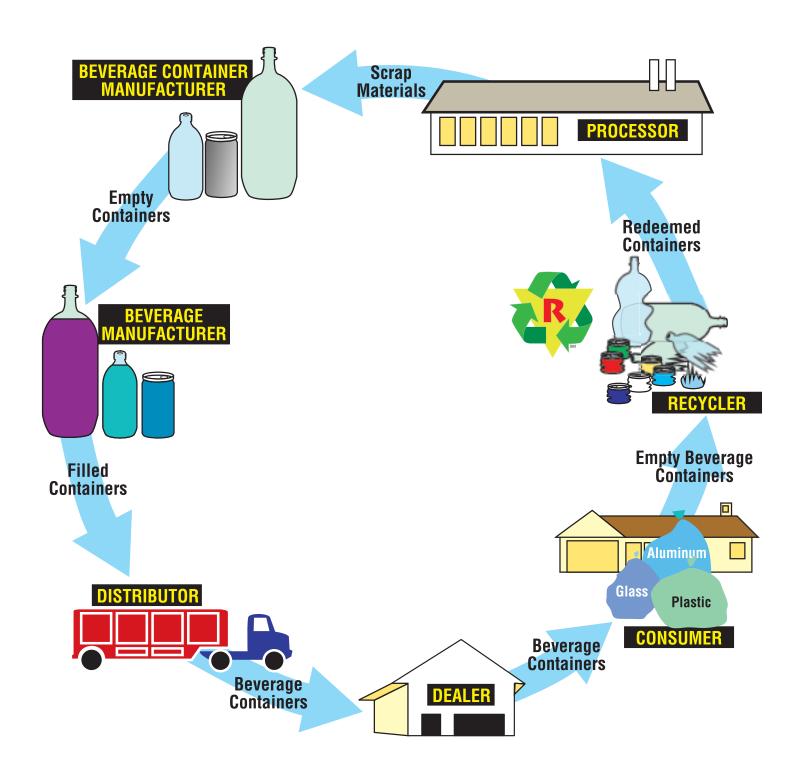
A graphic representation of the relationships between these program participants is depicted in the **Life Cycle of a Beverage Container** on the following page.

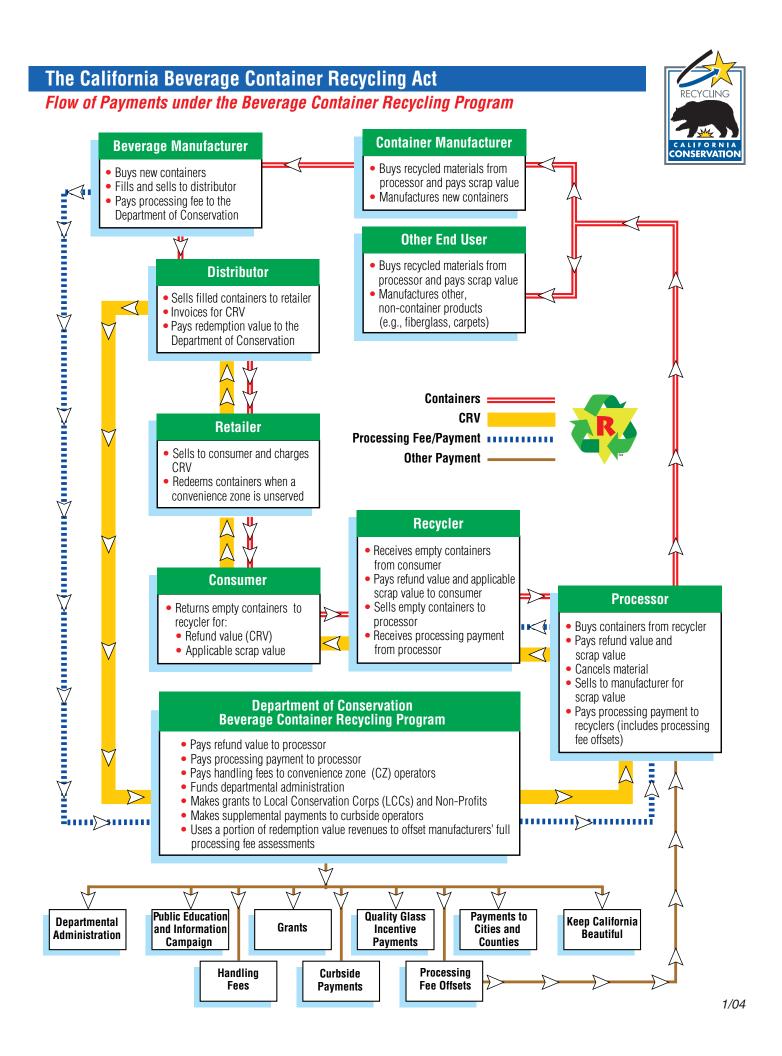
#### **Flow of Funds**

The receipt and payment of funds in the Recycling Program is complex. A flowchart is provided to clarify the flow of funds under the Recycling Program and can be found following the Life Cycle of a Beverage Container.

### LIFE CYCLE OF A BEVERAGE CONTAINER



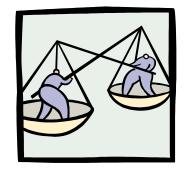




#### Administrative Responsibilities

The Program's administrative responsibilities include:

- Certifying, educating, monitoring and inspecting program participants;
- Calculating handling fees, curbside supplemental payments, processing fees, processing payments, scrap values, and recycling costs;



- Performing individual and statewide commingled rate studies. These studies are needed to establish the average refund value per pound of commingled (CRV and non-CRV) loads of containers that are presented for redemption. This statistic allows recyclers to pay consumers based on the gross weight of commingled loads of containers. If a recycler believes that the statewide commingled rate does not fairly reflect loads received at its recycling center, it may request an individual commingled rate study;
- Administering a statewide system of convenience zones, including the analysis of zone exemptions and unserved zones;
- Performing compliance audits on recyclers, processors, beverage distributors and manufacturers;
- Investigating/monitoring transactions to prevent fraud and the payment of CRV on ineligible containers;
- Performing internal peer reviews of audits, reviews, and investigations to ensure accuracy and consistency;
- Facilitating the demand for glass, plastic, and aluminum materials:
- Administering minimum content laws for glass bottles and fiberglass insulation sold or manufactured in California;
- → Administering a competitive grant program and a local government payment program;
- Establishing and enhancing Local Conservation Corps recycling programs through technical assistance and grant funding;
- Promoting beverage container recycling by administering a statewide public education and information campaign and through other outreach services;
- Performing litter surveys to determine the beverage container component in roadside litter:
- → Maintaining a toll-free telephone line information system;
- Conducting basic research, developing statistics, preparing reports, and disseminating information;
- Receiving and disbursing funds (redemption payments, refund value, processing fees, processing payments, handling fees, quality glass incentive payments, curbside supplemental payments, local government recycling payments, fines and penalties); and
- Projecting and monitoring cash flow.

These administrative responsibilities are handled by the Division's Administration and its six branches; Policy & Analysis; Certification Services; Industry Services, Audits & Investigations, Market Research and Community Outreach. A description of the Administration and each of the branches follows.

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# Administration

The Division's Administration is responsible for the overall management of the Beverage Container Recycling Program, including establishing program policies and procedures and coordinating all administrative

functions. Jim Ferguson, the Assistant Director for Recycling and Deputy Chief Carol Nelson manage the program and coordinate the efforts of the 10 staff in DOR Administration.



Jim Ferguson



Carol Nelson

The staff and management within the Administration are responsible for the following:

- Developing and administering the Division's policies and procedures;
- Preparing, coordinating, and monitoring the Division's budget;
- \* Performing accounting functions;
- Coordinating procurement of all equipment and supplies and payment of all invoices;
- Coordinating and providing technical assistance on all personnel-related actions, such as hiring, promotions, etc.;
- Preparing, coordinating and approving contracts;
- Coordinating the Division's waste reduction and energy conservation programs;
- Coordinating the Division's staff development program;
- Coordinating the Division's strategic planning; and
- Developing cash flow analyses, fiscal forecasts, and computer models for all beverage container recycling program funds.



# Policy and Analysis Branch

The Policy and Analysis Branch (PANDA) provides Division-wide program support in a variety of key areas. PANDA Branch Manager, Dana Stone,

oversees the three branch sections: Legislation and Regulation, Data Analysis and DORIIS. There are 17 staff in the Branch.



Dana Stone



#### **Legislation and Regulation Section**

The Legislation and Regulation Section employs 5 staff and is responsible for reviewing and suggesting legislative and regulatory changes to the program. When legislative bills propose changes to the Beverage Container Recycling law, the staff evaluate the impact of those changes. The staff also make a recommendation for the Division's policy position on a bill, i.e., whether it supports or opposes the legislative changes. In addition, the Division may wish to make

significant changes to the recycling program. When this occurs, the staff develop legislative proposals for the program changes that require legislation.

Regulations are developed to clarify the law. The staff are responsible for developing proposed regulations, or reviewing requests for proposed regulations that may come from the recycling community. In doing so, the staff work closely with the various Division branches, our departmental Legal Office, and the State's Office of Administrative Law to adopt the new regulations. The establishment of regulations is also referred to as the "rulemaking" process.

#### The Data Analysis Section

The Data Analysis Section employs 5 staff that manage the Division's fiscal intermediary contract and conduct the Division's business process improvement program.

The Division strives to continuously improve its programs by improving the processes used by the staff and the information made available to them. To accomplish this, business process improvement projects (commonly

called BPIs) are coordinated by the Data Analysis section. Through these projects, staff work with the individuals in the programs being evaluated to facilitate changes. They document current methods used to perform tasks, evaluate them, develop proposed changes and implement approved changes.



The Data Analysis Section also manages the Division's Data Library. The Data Library provides a single location for much of the Division's operating data to be used for program analysis and management.

IKON Business Information Services (commonly referred to as IKON), is the Division's fiscal intermediary contractor. IKON receives CRV payments from distributors and processing fee payments from beverage manufacturers and makes payments to processors based upon their reported volumes of recycled materials. IKON processes over 425,000 participant documents per year, develops detailed reports and maintains historical program data.

#### **DORIIS Section**

The DORIIS Section, with its 3 staff, is primarily charged with coordinating the design and installation of the long-awaited Division of Recycling Integrated Information System (DORIIS). DORIIS will be a web-based application that pulls together into one system all of the numerous data systems currently used throughout the Division. This will enhance staff's capabilities by allowing them to access all information related to a particular

participant. In addition, program participants will benefit through their ability to electronically submit applications and required reports to the Division. Consumer benefits include an electronic recycling center locator.

In addition, the DORIIS Section works on business process improvement projects throughout the Division, acts as liaison to the Department's computer technology staff in the Office of Technology Services and is responsible for coordinating the development of the Division's recycling information system technologies. This includes participating in the evaluation of hardware and software needs, and the design and acquisition of the Division's computer systems.





# Certification Services Branch

The Certification Services Branch, with a total of 33 staff, is comprised of three sections that are overseen by Christy Birkinshaw, the Branch Manager. The sections are the Certification Section, the Recycler Training and Review Section and the Recycler Inspections Section.



Christy Birkinshaw

The primary responsibility of the Certification Services Branch is to provide services to the program participants that recycle beverage containers and therefore draw funds from the Beverage Container Recycling Fund. These participants include recyclers, processors, community service programs, dropoff programs, collection programs and curbside programs.

#### Certification Section

The Certification Section, which employs 10 staff, is responsible for certifying California's recycling collection programs. These certified programs are recycling centers, processors, dropoff or collection programs, and community service programs. The Section also registers curbside programs.

The functions that go along with ensuring that these programs are certified and registered with the Division are varied. The section provides technical assistance to current and potential

operators of certified or registered facilities and programs. Staff conduct site visits to give new applicants an overview of the Recycling Program and the responsibilities of certified recyclers.

To ensure that certifications and registrations remain current, the section processes renewal applications and monitors expiration dates and the probationary status of the sites. Certified recycling centers and processors are required to renew their applications every five years; dropoff and collection programs and registered curbside programs every two years. In addition, staff process decertification requests received from

the program participants.

Recycling centers sometimes temporarily close. They should inform the Division of their closure and their reason for closing. Staff receive, document and monitor these temporary closures.

The Certification Section also maintains computer database records of certified and registered operators, facilities, and programs. It includes the facility site's name, location, hours of operation and materials collected among many other data items.

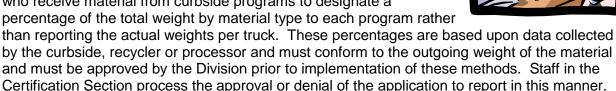
In addition to certifying program participants, the section also has a variety of responsibilities related to monitoring and assisting the participants. Staff monitor the reports submitted by certified processors to ensure compliance with the law. Staff also coordinate the calculation and distribution of supplemental payments to neighborhood dropoff and curbside programs.

> When a processor wants a recycler or another processor to perform the cancellation of beverage containers on their behalf, they officially request an Authorization to Cancel. The requests are reviewed and analyzed by staff in this section. It is the processor's responsibility and a condition of their certification that received material is cancelled in a manner so those containers can't be redeemed for CRV more than once. Examples of cancellation are: shredding aluminum or plastic containers, delivering containers to a company that will make

the containers into new products, exporting the containers from California, etc. If approved, the authorization may be for a period of up to one year. Processors may request authorizations for multiple recyclers and, conversely, a recycler can be authorized to cancel for multiple processors.

In addition, the Certification Section reviews and processes requests for consolidated shipping reporting methods. Shipping reports must be prepared for each delivery of material from persons other than consumers. However, in an effort to reduce paperwork, certified recyclers and processors may elect to prepare their shipping reports using a consolidated report.

Another form of alternative reporting allows recyclers and processors who receive material from curbside programs to designate a



#### Recycler Training and Review Section

The Recycler Training and Review Section, which has 11 staff, is responsible for providing ongoing training to recyclers and processors and monitoring their compliance with the law. The staff in this section work out of the Sacramento office as well as the field offices in Los Angeles and San Diego.

Although the Certification Section provides newly certified participants with preliminary training, the participants need additional record keeping training after they have been operating for a while. The follow-up training conducted by this section is called a limited review. These are performed on all newly certified recyclers after they have been operating for approximately three months. Limited reviews are also conducted when a participant requests additional training or when one of the other Branches within the Division indicates a facility needs more training.

Through a limited review conducted at the site, staff train the operator of the facility by doing the following:

Interviewing the operator and completing a questionnaire to determine the operational procedures they are using;

- Inspecting the site and watching the operational procedures to evaluate items such as their pricing, the posting of signage, the inspection and handling of materials and the completion of paperwork;
- Going over the paperwork procedures with the operator by reviewing the Recycler Operating, Record keeping and Accounting Requirements manual; and
- Reviewing their receipts, logs, daily summaries, and shipping reports to determine if they have been properly completing them.

While at the site, staff let the operator know what changes need to be made in their operational and record keeping procedures. Typically, these visits are for training purposes only and therefore no citations are issued or penalties given. The site visit is always followed up by a letter to the operator reiterating the auditor's findings. These visits may also identify possible fraudulent activity. In these instances, referrals are made to the Audits and Investigations Branch.

Staff in this section also investigate the validity of predatory pricing complaints. Complaints of predatory pricing may be filed by one recycling center operator against another. Predatory pricing is the practice of using handling fees to pay inflated scrap value prices to gain an unfair advantage over other recyclers. Predatory pricing only applies when handling fees have been received by the accused recycler. When the Division receives complaints from recyclers regarding this practice, the accusation is investigated by determining the average scrap value paid by recyclers located within no more than 5 miles of the accused recycler (10 miles

for a rural region recycler). If the allegation is proven to be correct, the accused recycler loses its right to receive handling fees for a specified period of time.

Complaints received by the Division referring to recycling centers are also handled by this section. The complaints are generally received through the Division's toll-free telephone line and are typically from the general public or a certified recycler. The complaints may concern some aspect of the law or the way a particular recycler is operating. The complaint is either handled at the time of the initial call by addressing their questions or via a follow-up call after inspectors have checked the complaint issue during an inspection.

This Section also provides the analytical work necessary to approve the consolidated shipping report process and the alternative method of reporting for curbside programs. This work entails some detailed analysis of the methods proposed by the program participant.

Staff also review monthly reports on the volumes of materials being recycled at recycling centers. This allows them to identify facilities that have not recycled one or more material types for a period of at least three months. These sites are then contacted to determine if they are still operating and if so, if they are still accepting all of the material types.

A new project just being initiated by this Section is the Curbside Monitoring Program. A team has been brought together to look at the whole picture of curbside programs in California and to make recommendations on regulations and monitoring. The Division will be assessing its needs in the curbside area through this team and developing future staffing needs.

#### **Recycler Inspections Section**

The Recycler Inspections Section has 9 staff that work out of the Sacramento Office and the Los Angeles and San Diego Field Offices. The section primarily conducts inspections at recycling centers to determine if they are operating as they should be. In addition, this section coordinates the Reverse Vending Machine Pilot

Program and trains all newly certified recycling centers on the operational requirements of being a certified recycler. The Division inspectors meet with the owner/operator and conduct a hands-on training session complete with a training manual including visual aids. This training manual is left with the recycler for their future reference.

During the undercover inspection process, the inspector checks that:

- The recycling center has not closed down and therefore is not considered an abandoned site:
- The recycling center is open for business when it is supposed to be;
- All of its required signs are properly posted, including the Open Sign, the Certification Sign, the Hours Sign and the Price Sign;
- The hours listed on their Hours Sign matches their hours as stated in the certification file;
- The recycling center accepts and pays for all beverage container materials that they are certified to accept;
- The attendant inspects the materials brought in for recycling to determine what percentage of the load is CRV material; and
- The attendant accurately completes the recycling center's logbook and pays the consumer the appropriate amount of money.

When a recycling center is found to be out of compliance, staff issue notices of non-compliance and violations as necessary and conduct follow-up visits until compliance is achieved.

When a recycling center has shut down but has not yet been decertified, it is considered an abandoned site. When this occurs, any convenience zone they were located in continues to be considered as served and the recycler's location continues to be listed on the Division's toll-free

telephone listing of recyclers. Therefore, it is imperative to decertify closed locations as soon as possible. Once abandoned recycling sites are identified, staff attempt to locate the recycling center operator to encourage them to voluntarily decertify their location. If the recycler cannot be contacted, the site is referred to the Certification Section for certification termination if it has a probationary certification. Otherwise, it is referred to the Audits and Investigations Branch to begin the legal process required to revoke the certification for the site.

Occasionally, the Division is made aware of recycling center sites that may be operating without being certified. Staff in this section inspect the site to verify its existence and determine its certification status. Information about non-certified sites is referred to the Audits and Investigations Branch for further investigation.

To assist in the coordination of the inspections program, staff maintain an inspection history database file. This allows staff to know the previous citations received by each facility, to ensure return visits are appropriately scheduled and to identify recyclers that should be investigated by the Audits and Investigation Branch.



# Industry Services Branch

The Industry Services Branch is responsible for educating, monitoring and regulating beverage manufacturers, beverage distributors and beverage retailers. The Branch is overseen by John Panenka, the



Branch Manager and is divided into three sections; the Convenience Zones Section, the Dealer Services Section and the Beverage Manufacturers and Distributors Section. There are a total of 28 staff in the

Distributors Section. There are a total of 28 staff in the Branch located in Sacramento as well as the field offices in Los Angeles and San Diego.

John Panenka

#### Convenience Zones Section

The Convenience Zones Section is comprised of 10 staff. The primary responsibilities of the section include the development and maintenance of the mapping of convenience zones, recycling centers, processors and dealers. This data is analyzed to determine status and responsibility of convenience zones and dealers and to qualify participants for program payments.

The Convenience Zones Section establishes the convenience zones around the State. These zones are the areas designated within a one-half mile radius of every major supermarket doing at least 2 million dollars in annual gross business. The section creates maps of these zones using Geographic Information

Systems (GIS) technology. Supermarkets and other beverage retailers, commonly called dealers, that are within these zones are responsible for providing a redemption opportunity in that zone, which can either be a recycling center in the zone or redeeming consumers' containers in their stores. A zone that is served by a recycling center is considered a "served zone" and if there is no recycling center, the zone is deemed an "unserved zone" in which dealers in that zone must redeem any beverage containers presented by consumers for redemption.

The Convenience Zones Section is also responsible for awarding exemptions to the convenience zone redemption requirement. The Department may exempt up to 35% of all zones from the redemption requirement as long as the opportunity to redeem containers is conveniently available to the public.

The Convenience Zones Section also determines the eligibility of convenience zone recyclers for handling fees. Handling fees are a subsidy to convenience zone recyclers of up to \$2,300



per month to offset the high cost of providing recycling in a zone, as long as they recycle more than 60,000 containers monthly. Each month, recyclers submit a Handling Fee Application (DR-14), which is reviewed to determine if they are eligible for that month's subsidy.

The section uses Geographic Information System (GIS) technology to display the location of convenience zones and many of DOR's program participants (primarily recyclers, processors, supermarkets and other

dealers). GIS consists of computer hardware, software and data. It is an integration of participant information (name, address, ID number, etc.) and geographic data. The section

uses GIS to produce maps for stakeholders and to perform geographic analysis. The GIS information is also available to Division staff and management via the intranet (internally).



#### Dealer Services Section

The Dealer Services Section has 8 staff that work out of the Sacramento Office and the Los Angeles and San Diego Field Offices. The section primarily conducts inspections at dealers (beverage retailers) to determine if they are operating as they should be.

When inspecting a dealer, the inspector checks for the following:

- The store has a dealer sign with the location of the nearest certified recycling center posted at each entrance to the store;
- The CRV beverages that the store sells are properly labeled with the CRV message;
- Stores that are greater than 4,000 square feet in size have shelf labels or tags that indicate the price plus CRV for their beverages; and
- If required to redeem containers in the store, their dealer sign states this and they properly redeem the containers.

(Dealer Sign)



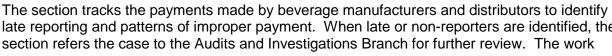


In addition, the Dealer Services Section handles complaints made about dealers. Complaints are generally received through the Division's toll-free telephone line and are typically from the general public and concern some aspect of the way a dealer is operating. The complaint is either handled at the time of the initial call by addressing their questions or via a follow-up call after inspectors have checked the complaint issue during an inspection.

#### Beverage Manufacturers and Distributors Section

The Beverage Manufacturers and Distributors Section, which employs 8 staff is responsible for assuring that the proper CRV and processing fee payments are being reported and paid to the Division of Recycling. This includes identifying the beverage types that are subject to CRV and their corresponding beverage manufacturers and distributors. Once identified, the beverage manufacturers and distributors are notified of their Recycling Program responsibilities.

late reporting and patterns of improper payment. When late or non-reporters are identified, the section refers the case to the Audits and Investigations Branch for further review. The work



associated with tracking manufacturers and distributors includes providing technical assistance to ensure compliance with the law and regulations. The section also reviews and approves requests from beverage manufacturers and distributors to report annually, rather than monthly and reviews and approves beverage container labels to ensure that the CRV message is properly applied.

Aside from working with beverage manufacturers and distributors, staff also prepares the Division's mailing labels for official mailings to most of the program participants.



Audits & Investigations Branch

The Audits and Investigations Branch is responsible for auditing and investigating program participants to ensure compliance with the law. Recyclers, processors, beverage manufacturers and distributors are audited to ensure that funds are being properly paid by beverage distributors and beverage manufacturers and that funds are claimed properly by recyclers and processors.





Investigations are conducted to identify program participants that appear to be purposefully breaking the law.

The Audits Branch has 64.5 staff responsible for a variety of programs that are overseen by Dennis Stone, the Branch Manager. The branch is comprised of three sections, the Audits Section, the Investigations Section and the Quality Control Section.

**Dennis Stone** 

#### **Audits Section**

The Audits Section is comprised of three field offices; one in Sacramento, one in Los Angeles and one in San Diego. The staff in these offices are responsible for auditing program participants (beverage manufacturers, distributors, processors, and recyclers) in each of their respective areas. The Sacramento Field Office (9 staff) is responsible for covering all counties north of San Luis Obispo. The Los Angeles Field Office (8 staff) is responsible for covering Los Angeles, Ventura, Santa Barbara, San Luis Obispo and Kern Counties. The San Diego Field Office (6 staff) is responsible for covering San Diego, Imperial, Riverside, Orange and San Bernardino Counties.

<u>Audit</u> - An audit of a program participant is a complete review of all records related to their activity as a participant in the State Recycling Program during the three-year period prior to the beginning of the audit. These audits focus on paperwork (e.g., receipts, logs, shipping reports and distributor reports) that verify all claims to the State for reimbursement and payment of refund value. Distributor Reports (referred to as a DR-3) are completed by

distributors for each month of beverage sales. Distributors file these reports with the Department and send the applicable CRV payment with the report. In order to document the transactions between the recycler and the public, logs and receipts are completed by recyclers when they purchase beverage containers from the public. A Shipping Report (DR-6) is the report that is completed by the recycler that documents the container purchase activity of a recycler for a specified period of time. Separate shipping reports are completed for each individual container material type and sent to the processor with each load of

material. A Processor Report (DR-7) is completed by the processor for each container material type and is a summary of all purchases from recyclers during a specified period. These reports are sent to the Department for reimbursement of CRV paid to recycle.

Audits are scheduled in an annual workplan and supplemented throughout the year with other reviews that need to be done due to detected wrongdoing on the part of a participant.

#### **Investigations Section**

The Investigations Section is staffed by 24 employees that also work out of the field offices located in Sacramento, Los Angeles and San Diego. The section is responsible for a variety of programs that are designed to prevent the improper payment of program funds and include the following:

Fraud Prevention Program - The purpose of this program is to minimize the risk of fraudulent claims being paid from the California Beverage Container Recycling Fund. The staff review data and information from certified recycling centers to determine the degree of risk that they pose to the fund. Recycling centers that pose an unacceptable risk or a significant risk to the fund are completely investigated and prohibited from submitting false or unverified claims for payment of CRV. Staff recover any illegal payments made from the fund, as a result of follow-up fraud prevention investigations performed on high-risk recyclers. Recycling centers that deceptively claim illegal payments of CRV are referred to the Department's Legal Office to pursue decertification and may ultimately be referred to the Department of Justice for civil or criminal prosecution. In addition, staff respond to information provided through 1-866-CANLOAD, the Division's toll-free telephone line that allows individuals to report fraudulent activities.

Recycler Load Inspection Program - The purpose of this program is to increase recycling centers' compliance with laws and regulations related to payment of CRV on beverage container materials. The program begins at a processor facility with an on-site review of material submitted by a recycling center to a processor. The load of materials are inspected as well as the associated shipping report (DR-6) claiming a reimbursement of CRV for the load. The material is inspected for eligibility and compared to the DR-6 claim and weight ticket. If the material qualifies for CRV payment, and the documentation is complete, payment is authorized for the load. If ineligible material is detected in the load, the receiving processor is authorized to withhold payment of CRV while the auditor conducts an immediate inspection of the recycling center submitting the load and DR-6.

The supporting records, purchase practices and on-hand inventory of the recycling center are also examined at this time. This review determines if other fraudulent claims have been submitted and substantiated by falsified logs and receipts by the recycler. If this review resolves the concerns, payment of CRV is authorized at this time. The Division staff then explains to the operator and their staff what initiated the visit and how to avoid further visits of this nature in the future. Otherwise, payment of CRV on the load is either declined or adjusted.

Prepayment Reviews - Prepayments are limited scope examinations of a recycling center's operating and reporting procedures. They are designed to identify the improper payment of refund value. Staff inspects shipments of beverage containers and review associated purchase records to ensure that their claims are valid. At times, these inquiries lead to larger scope investigations and when major fraud is suspected, cases are referred to other state enforcement agencies for criminal prosecution.

Out-of-State Container Reviews -Investigations are conducted on recyclers to be redeeming out-of-state beverage and processors that are believed and previously redeemed containers. containers, rejected containers, Staff review recycling center records to verify if shipping reports have claimed any ineligible material. Additionally, Vendor Transaction Profiles are conducted at processor sites where staff observe the receipt of shipments from certified recyclers. This allows the staff to determine if processors are correctly inspecting and recording shipments and the recyclers are submitting and properly completing their shipping reports.

Border Watch – Inspectors are periodically stationed at U.S. Customs Stations along the Mexican border to monitor the flow of out-of-state beverage containers entering the state. Importers of used beverage containers are stopped and informed that they will only receive scrap value for their empty beverage containers. They are oftentimes followed to the recycler to assure that they are not paid CRV for their material. Importers of filled beverage containers are stopped and informed of their responsibility to pay CRV and possibly a processing fee.



Consumer Transaction Profiles – Staff spend several days at a recycling center recording information on every load of materials brought to the site. This provides an opportunity to discuss with the operator any procedural problems noted by the inspector. It also provides the Division with a basis for the in-house review of their shipping reports to determine reasonableness.

#### **Quality Control Section**

This section, with its 7 staff, is primarily responsible for ensuring the Division accurately and consistently applies regulations, policies, and procedures when conducting audits and investigations. Staff review auditor reports produced by the Audits and Investigations Section.



These reviews assure that findings are accurately supported and well documented and that appropriate penalties and/or restitution are consistently assessed. After the review is completed, a letter is sent notifying the participant of the outcome of the audit, review or investigation, including any assessment of restitution and/or civil penalties. Annually, staff review an estimated 150 cases of which approximately 30% are referred for legal action.

The staff also prepare accusations. Accusations are the first step in the formal administrative hearing process and are prepared and filed against participants of the program when one of the following occurs:

- The participant failed to pay restitution and/or civil penalties that have been assessed against them as a result of an audit, review or investigation;
- The participant is either a recycler or processor that has committed serious offenses against the Act and therefore the Department wants to revoke their certification; or
- The participant is a recycling center operator who abandoned their site without notifying the Department.

The Quality Control Section prepares the Accusation for review by the legal office. Once the Accusation has been prepared, a specific attorney in the legal office is assigned to the case and works with the staff member and the auditor or other staff person that conducted the original review. After the Accusation has been filed and served, staff in the Quality Control Section track the progress to resolution of the case.

The Quality Control Section also has the following responsibilities:

- Collecting outstanding fines and penalties from recyclers and processors and preparing settlement and payment agreements;
- Developing and maintaining the Audit Manual used to inform auditors of the Division's policies and procedures;
- Training all new Auditors within the branch on the appropriate auditing procedures;
- Developing and maintaining the Recycler's Training Manual used to inform recyclers of their operating, record keeping and accounting requirements; and
- Auditing of contract expenditures of funds provided to the eleven California Conservation Corps statewide.



### Market Research Branch

The Market Research Branch is organized into two sections that are

responsible for conducting basic research, developing statistics and facilitating the demand for recycled glass, plastic,

aluminum and bimetal materials. Chuck Seidler is the Manager of the Branch, which is staffed with 22 employees.



Chuck Seidler



#### Market Statistics Section

The Market Statistics Section has 10 staff and is primarily responsible for determining several rates or figures that are used to assure the proper payment of CRV. The rates and figures determined by the section include the following:

- Commingled Rate A commingled load of recycled materials is a load that contains both CRV and non-CRV materials of the same material type. The commingled rate is the percentage of CRV material in a commingled load. Having a commingled rate enables a consumer to take a mixed load of recyclables to a recycler and get paid CRV without having to separate the CRV from the non-CRV materials. To determine the commingled rate, all types of recyclers are surveyed by staff to determine the average ratio of CRV to non-CRV materials in a load. The commingled rate is then determined and used as the basis for the refund value paid by the Department for commingled loads. Curbside programs and dropoff and collection programs can request to use an individual commingled rate if they believe their rate should be different than the statewide average. Staff also survey these programs to establish and monitor individual commingled rates.
- Refund Value per Segregated Pound (RVSP) and Refund Value per Commingled Pound (RVCP) Recyclers typically pay the CRV to consumers based upon the weight of their materials rather than the number of containers in the load. The RVSP rate calculated by this section is the statewide average amount of CRV per pound to be paid by the recycler for a fully segregated (100% CRV) load of materials. The RVCP rate calculated by this section is the statewide average amount of CRV per pound to be paid by the
- Containers Per Pound Rates For each material type (aluminum, glass, plastic and bi-metal), the average number of containers per pound is determined. This rate is used for a variety of purposes, including determination of the RVSP and RVCP rates and processing fees.

recycler for a commingled load of materials.

- Processing Payments and Fees Recyclers and processors make their profit from the scrap value they receive when they sell their materials. When the cost of recycling a beverage container exceeds the scrap value of that container, a processing fee and payment is established for that container material type. The beverage manufacturer pays a processing fee to the Department and the Department uses those funds to make processing payments to processors, who then forward the payment on to recyclers. Typically, aluminum does not have a processing fee as its scrap value makes aluminum profitable. The staff in this section determine the processing payments and processing fees to be assessed for each material type.
- Cost Surveys Staff perform surveys to determine the costs incurred to recycle each material type. Recycler's annual tax records, financial statements and payroll schedules are evaluated to determine these costs. The results of the cost surveys are used for calculating the processing payment and the processing fee.
- Litter Surveys These surveys are conducted periodically on the State of California's infrastructure of roads to document the amount of roadside litter and to determine the beverage container component of the entire mass of litter. After the data has been collected, a litter study is published. This information is used to measure the effectiveness of our program and is also used by other state agencies such as CalTrans to measure the effectiveness of their programs.
- Participant Share Analysis This analysis determines the percentage of beverage containers that are being recycled by the various types of recycling programs. The percentage of materials being recycled by each type of program is determined for each material type. This information is used to analyze the impact of proposed legislative changes and as a means of evaluating the effectiveness of the various types of recyclers.
- Characteristics of Postfilled Containers Postfilled containers are non-CRV containers. Staff determine the characteristics of these such as their size, weight and numbers per pound. This information is used in the calculation of the commingled rate as well as used to analyze the impact of proposed legislative changes.

#### Market Expansion Section

The Market Expansion Section has 10 staff. They are primarily responsible for improving the markets for California's recycled beverage containers; thus ensuring the economic viability of the State's recycling program.

They work to expand and improve markets by offering the following services:

- Offering \$10 million annually in grants for market development and expansionrelated activities aimed at increasing the recycling of beverage containers.
- Issuing up to \$10 million in recycling infrastructure loan guarantees. This applies to loans used to add recycling capacity or enhance the production of products made from recycled beverage containers.
- Providing beverage container material processing and end-use information to state and local government, private industry, and the public. This information is used to inform recyclers and processors of the businesses that will buy their materials.
- Assisting processors in finding markets for their materials they are about to landfill. The section receives requests for authorization to dispose of redemption material

and works with industry to avoid disposal if possible. In addition, when processors have loads of glass that are destined for the landfill because of the high percentage of non-glass materials, they may request approval to clean the glass. They use a process that removes the contaminates from the load thereby creating a load that is acceptable to glass manufacturers, allowing the processor to claim CRV on the load.

- Identifying and evaluating improved processing and manufacturing technologies used on recycled beverage container materials. This information is used in creating new markets for our recycled containers.
- Collaborating with other state agencies to encourage the establishment of new businesses in California that utilize recycled materials in the manufacturing of their products.

In addition to the market expansion programs, the section is also responsible for the following programs:

- Monitoring the minimum content laws for glass containers and fiberglass insulation. Minimum content refers to a law that requires glass beverage containers to be made of at least 35% recycled glass (referred to as cullet) and fiberglass to be made of at least 30% cullet.
- Determining the statewide recycling rate and redemption rates. These rates are determined for each material type. They basically represent the percentage of the total number of beverages that were bought by consumers that actually get recycled. They are used to measure the success of our Recycling Program.
- Determining the statewide average disposal costs. When a processor cannot sell their collected materials, they dispose of them by taking them to a landfill. This section determines the costs associated with disposing materials. The costs, which may be borne by either the recycler or the processor, typically include the cost of transporting the material to the landfill from the participant's yard and also the tipping fee charged by the landfill. These costs may be used in the calculation of the processing payment and fee if a container type is not recyclable.
- Determining the statewide glass, plastic and bimetal means the price paid in the containers, after shipping It does not include the calculating the processing of recycling a particular exceeds the scrap value of must assess a processing payment and fee on that container type.



average scrap value for aluminum, beverage containers. Scrap value market place for used beverage and handling costs are deducted. CRV. The scrap value is used in payment and fee. When the cost type of beverage container that container, the Department

Conducting the quality glass incentive payment program. Most manufacturers of glass products use one color of glass in their product and therefore cannot utilize glass that has several different colors of glass in it. Because many communities are collecting all recycled material types in a single container, the glass being shipped to manufacturers oftentimes is not color sorted or free of contaminants. The Division's quality glass incentive payment program provides \$3 million annually to curbside programs to encourage them to improve the quality of their glass loads. The program offers up to \$30 per ton for loads of clean, color sorted glass.

# Community Outreach Branch

The Community Outreach Branch facilitates groups of community decisionmakers to establish infrastructure for beverage container recycling, increases the recycling awareness level of both youth and adults through educational programs and event participation, markets beverage container

recycling in sports facilities, and provides grants, including to local community conservation corps.

Scott Dosick is the Branch Manager of the Community Outreach Branch which employs 23.5 staff and is comprised of three sections: Education, Regional Recycling Assistance (North), and Regional Recycling Assistance (South).



Scott Dosick

#### **Education Section**

The Education Section has 10.5 staff that develop and coordinate educational outreach activities targeted at children, promote recycling to the general public, maintain the Division's website and operate a toll-free hotline.

Through a series of characters (Recycle Rex and friends), young children are taught to recycle, reduce, reuse and close the loop. A website is currently available for the public to access all phases of the Recycle Rex program.

There is an environmental club (RecyCool Club) and a quarterly newsletter (RecyCool Planet) to encourage recycling habits in young children. Recycle Rex, a stand-alone costumed character, travels to school assemblies and performs in his very own show (Close the Loop...The Recycle Rex Quiz Show). Education is provided through an interactive process on the basic

premise that children learn not only from hearing and seeing, but also from participating.

The Division continually receives requests for Recycle Rex or other DOR outreach staff to appear at events throughout the state. Our Events Coordinator compiles data about these events for development of an annual calendar. In addition to Recycle Rex, we may set up an information booth or display.

Our outreach activities also include a sports marketing program. The goal of the program is not only to get the recycling message out at sporting venues, but also to assist in establishing beverage container recycling programs at sporting facilities. In addition to encouraging the fans to recycle, we also are working with the California Integrated Waste Management Board and 18 sporting venues throughout California to recycle other materials (office paper, food trays, cardboard, etc.) and promote efforts the facilities already have in place - like grasscycling.

Another responsibility of this section is to manage the Division's portion of the Department's website. DOR's Webmaster is responsible for designing and updating our website, heading the DOR web committee and coordinating the email the Division receives via the website.

A crucial resource for the public and industry is the Division's toll-free telephone line (1-800 RECYCLE), with information available in English and Spanish. The resources available through the toll-free line are diverse and include the following:

- RecyCool Club applications;
- Location of the nearest certified recycling center by zip code;
- Facts about the recycling program (e.g. what is CRV? What is the amount of CRV? Grants available. What are the current recycling rates?);
- Division of Recycling publications (e.g. Market Connection, regulations, teacher's packet etc.);
- Certification application;
- Handling fee application;
- Participant reporting forms;
- Distributor and manufacturer information;
- Dealer signs; and
- Announcements for special events, activities or any required compliance information.





#### Regional Recycling Assistance (North) Section

And

Regional Recycling Assistance (South) Section

These two sections are responsible for oversight of several funding programs in the Division. The Regional Recycling

Assistance (North) Section is comprised of 6 staff and is responsible for the programs that fall north of Mono, Fresno and Santa Barbara counties. The Regional Recycling Assistance (South) Section has 5 staff and is responsible for the programs within Mono, Fresno and Santa Barbara counties and all counties below these three. Both of these sections coordinate the following programs within their respective regions:

- The Competitive Grant Program This program makes available \$1.5 million in grant funds annually to any type of organization. The grants are used to develop and establish projects emphasizing beverage container recycling and litter abatement. The focus for proposed projects may change from year to year and is defined during each cycle in the grant solicitation announcement. The staff solicit grant proposals, review and evaluate proposals, make recommendations on which grant proposals are to receive funding, write the grant agreements and manage grants.
- Local Conservation Corps Grants By providing funding for the local community conservation corps through the recycling program, the California Legislature took a very progressive and innovative step with far-reaching consequences. Several cities within the State established local corps to help low income, disadvantaged youth create a better life for themselves. Corps members come from all walks of life and range in age from 12 to 24. In 1987, four corps competed for \$7 million in grant

funds to be used to execute recycling and litter abatement projects. Since 1987, the

35

corps have grown to 11 organizations. These 11 corps compete for \$15 million annually in grant funds.

Each year the staff prepare and distribute corps grant guidelines, evaluate corps proposals and prepare grant agreements. Typically, the corps have conducted projects such as:

- recycling education in elementary schools;
- recycling collection in parks, recreation areas, and at businesses and restaurants; and
- litter abatement of median islands and alleyways.
- City/County Payment Program This program provides \$10.5 million annually to cities and counties to establish beverage container recycling and litter clean-up activities within their jurisdictions. The payments are calculated on a per capita basis, with minimum awards of \$5,000 to cities and \$10,000 to counties. The funds are typically used for the following types of activities:
  - the collection and recycling of beverage containers at large venues, public areas, residential communities, or schools:
  - public education promoting beverage container recycling and/or litter prevention;
  - conducting litter prevention and/or abatement activities in public places including community clean-up projects; and
  - other beverage container recycling-related activities.
- Community Assistance Program- This effort focuses on un-served areas in California. Projects are selected based on the application of established criteria. The staff facilitate communication and bring together local recyclers, dealers, other decision makers and funding resources in the area to resolve barriers to beverage container recycling.



#### **Reference Materials**

The Division produces a variety of materials that are disseminated to the program participants. These materials are listed below and may be accessed by clicking on the item.

#### For All Program Participants

- Listing of CRV Beverages
- Biannual Report on Sales, Returns, Redemption & Recycling Rates



#### For Beverage Manufacturers or Distributors

- DR-3 Distributor Report
- DR-4 Beverage Manufacturer Report
- Manufacturer & Distributor Participant Manual
- Requirements for Beverage Manufacturers & Distributors
- Beverage Container Labeling Guide

#### For Certified or Registered Participants

- Certification Requirements
- Recycler & Processor Participant Manual
- DR-6 Shipping Report
- DR-7 Processor Invoice Report
- DR-14 Handling Fee Application

#### For Local Governments

Guidelines for City & County Annual Payments

#### For the General Public

- Market Connection
- How to Start a Recycling Business

#### For Grantees

- Grant Solicitation Announcement
- Listing of California's Community Conservation Corps



#### DISTRIBUTOR REPORT

STATE OF CALIFORNIA - The Resources Agency DEPARTMENT OF CONSERVATION DF



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PLASTIC PS		X.08=	\$
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DISTRIBUTOR'S SIGNATURE	
DATE	_

FORM SERIAL NUMBER (FSN):

For more information, visit our website at: www.conservation.ca.gov

(TOTAL X 0.01) = ADMIN FEE: (TOTAL - ADMIN FEE) = CRV DUE:

# BEVERAGE MANUFACTURER REPORT

STATE OF CALIFORNIA - The Resources Agency DEPARTMENT OF CONSERVATION Division of Recycling DR-4 (1/00)



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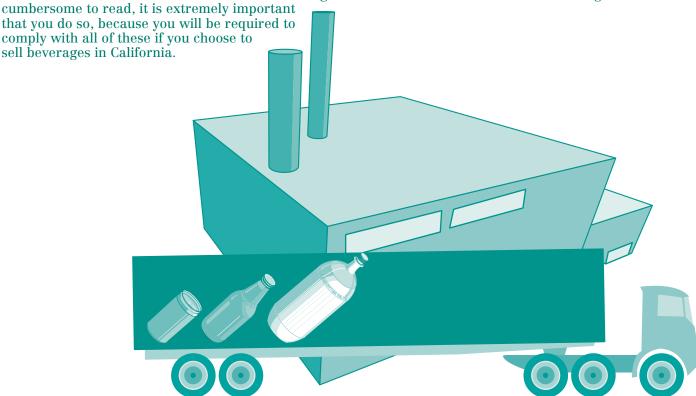
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# REQUIREMENTS FOR BEVERAGE MANUFACTURERS AND DISTRIBUTORS

Under the California Beverage Container Recycling & Litter Reduction Act

This fact sheet provides an overview of the process and operating requirements for beverage manufacturers and distributors who operate in the State of California. If you are a beverage manufacturer or distributor, you must read the California Beverage Container Recycling and Litter Reduction Act (Act) and the California Code of Regulations. While these documents seem long and



# WHO IS A BEVERAGE MANUFACTURER?

Entities (as defined in the Act) that fill containers with beverages or who import filled containers and sell or transfer them to distributors or dealers for sale in California.

# WHO IS A BEVERAGE DISTRIBUTOR?

Entities (as defined in the Act) that sell or transfer beverages to dealers in California.

#### WHAT IS A BEVERAGE

"Beverage" means beer and other malt beverages, wine coolers and distilled spirit coolers, carbonated and noncarbonated mineral and soda water, carbonated and noncarbonated water, carbonated and noncarbonated softdrinks and sport drinks, carbonated and noncarbonated fruit drinks, coffee and tea drinks, sold in aluminum, glass, plastic and bi-metal containers in liquid and ready-to-drink form and intended for human

consumption. "Beverage" does not include wine, or wine from which alcohol has been removed in whole or in part, whether or not sparkling or carbonated. Also excluded are milk, medical food, infant formula, 100% fruit juices in containers over 46 ounces and any product sold in a container that is not an aluminum beverage container, a glass beverage container, a plastic beverage container, or a bimetal beverage container.

#### **PAYMENT & REPORTING**

### WHAT IS A BEVERAGE CONTAINER?

"Beverage Container" means the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and which is constructed of aluminum, glass, plastic or bimetal.

## WHAT IS REQUIRED OF PROGRAM PARTICIPANTS?

#### Beverage Manufacturer:

- *Processing Fee Payments*Timely completion and submission of the Beverage Manufacturer Report (DR-4) with payment.
- Maintain records of processing fee payments, records of in-state sales and transfers of covered beverage containers, and records and receipts of recycling activities for rejected containers that are redemption labeled.
- Record retention
   All records are subject to audit by the Department and must be kept at a location known to the Department for a period of five years.

#### Distributors:

- Redemption Payments
  Timely completion and
  submission of the Distributor
  Report (DR-3) with payment.
  - Record keeping Maintain records of the count of beverage containers and refillable containers, by container type, sold or transferred to dealers. Keep records of beverage containers received from beverage manufacturers. Distributors must keep receipts and records for samples, donations and employee sales. Distributors who sell beverages in refillable containers and accept empty refillable containers for reuse must keep documentation of these transactions to support their reports to the Division. Distributors must keep receipts and records of recycling activities for rejected containers that are redemption labeled.
- Record retention
   All records are subject to audit by the Department and must be kept at a location known to the Department for a period of five years.

### WHERE ARE REPORTS SENT?

All Beverage Manufacturer Reports (DR-4) and Distributor Reports (DR-3) should be sent to:

IKON Business Services, Inc. P.O. Box 277820 Sacramento, CA 95827

### WHERE CAN I ORDER MORE FORMS?

Send a written request to:

IKON Business Services, Inc. P.O. Box 277937 Sacramento, CA 95827

Attn: PRPS Order Department

# HOW CAN I CONTACT THE DIVISION?

To get more information about requirements for beverage manufacturers and distributors:

Write to:

**Department of Conservation** *Division of Recycling*801 K Street, MS 15-29
Sacramento, CA 95814-3533

Or call:

Phone: (916) 327-7361 Fax: (916) 327-2787

www.conservation.ca.gov







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#### HANDLING FEE APPLICATION

STATE OF CALIFORNIA - The Resources Agency DEPARTMENT OF CONSERVATION Division of Recycling DR-14 (1/00)



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Recycler's Sign	ature/Title	Date			

### Local Conservation Corps Contact Information

Corps/Staff Information	Address	Phone/Fax Number/Ext			E-Mail
Conservation Corps of Long B			<u> </u>		
Executive Director:	340 Nieto Avenue	Phone:	562/986-1249		
Mr. Mike Bassett	Long Beach, CA 90814	Fax:	562/986-9390		mbassett@cclb-corps.org
Deputy Director:	Long Beach, CA 90014	Phone:			mbassett@ccib-corps.org
Joyce McDevitt		Friorie.	562/986-9390		imdevitt@celb.come.org
		гах.	302/900-9390		jmdevitt@cclb-corps.org
Recycling Coordinator: Robert Ross					
East Bay Conservation Corps					
Executive Director:	1021 Third Street	Phone:	510/891-3900		
Ms. Joanna Lennon	Oakland, CA 94607	Fax:	510/992-7950		
Chief Operating Officer:		Phone:	510/891-3900		
Janice Jensen					
Program Director:		Phone:	510/891-3900		
Mike Smith					
Sr. Mgr. of Field Programs:		Phone:	510/992-8015		
Audrey Russano					
Director of Finance/Administration	n:				
Alan Steed					
Recycling Coordinator:	2014 Market Street	Phone:	510/625-2090		
Tessa Christenson	Oakland, CA 94607	Fax:	510/625-0440		tchristenson@ebcc-school.org
Fresno Economic Opportunitie		ı ux.	010/020 0110		tornictoriceries excendencers
Executive Director:		Dhonoi	559/263-1000		
	1920 Mariposa Mall, Ste. 300	Phone:			
Mr. Roger Palomino	Fresno, CA 93721-2504	Fax:	559/269-1009		
Fresno Local Conservation Co					
Director:	1371 Stanislaus Street	Phone:	559/264-1048		
Mr. Paul McLain-Lugowski	Fresno, CA 93706	Fax:	559/264-1004		
Recycling Coordinator:					
Shawn Riggins					Shawn.Riggins@fresnoeoc.org
Los Angeles Conservation Cor	ps				
Executive Director:	3655 S. Grand Avenue, Ste. 280	Phone:	213/747-1872	x 305	
Mr. Bruce Saito	Los Angeles, CA 90007	Fax:	213/747-2944		
Controller:	605 W. Olympic Blvd. Stes. 450 & 470	Phone:	213/362-9000	x 206	
Pam Ashlund	Los Angeles, CA 90015	Fax:	213/362-7952		pashlund@lacorps.org
Adult Corps Division Director:	3655 S. Grand Avenue, Ste. 280		213/747-1872		, a ,
Dan Knapp	Los Angeles, CA 90007	Fax:	213/747-2944		dknapp@lacorps.org
Environmental Service Director:			213/749-3601	x 204	annapp @ lacorpo.org
Bo Savage	Los Angeles, CA 90007	Fax:	213/749-4301	X 204	bsavage@lacorps.org
	2824 S. Main Street	Phone:	213/749-3601	v 220	bsavage@lacorps.org
Project Manager: Robert Skillman	Los Angeles, CA 90007	Friorie.		X 220	rskillman@lacorps.org
	LOS Aligeles, CA 90007	гах.	213/749-4301		rskiiiman@iacorps.org
Marin Conservation Corps	27 Laukamur Chraat	Dharra	445/454 4554		
Executive Director:	27 Larkspur Street	Phone:	415/454-4554		
Ms. Marilee Eckert	San Rafael, CA 94901	Fax:	415/454-4595		
Controller:		Phone:	415/454-4554		kcrebbs@marincc.org
Kathy Crebbs					
Financial Consultant:		Phone:	415/454-4554		
Krista Thomas					
Recycling Coordinator:	33 Commercial Blvd., Ste. B	Phone:	415/884-2400		
Jason Rainey	Novato, CA 94949	Fax:	415/884-3522		
Orange County Conservation (	Corps				
Executive Director:	700 N. Valley Street, Ste. B	Phone:	714/956-6222		
Mr. Rick Stroup	Anaheim, CA 92801	Fax:	714/956-1944		
Recycling Manager:					
Robert Von Gietzen					
Recycling Coordinator:					
Josh Volp					jvolp@occcorps.org
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### Local Conservation Corps Contact Information

Corps/Staff Information	Address	Phone/Fax Number/Ext			E-Mail
Sacramento Local Conservation	n Corps				
Executive Director:	8460 Belvedere Ave., Ste. 7	Phone:	916/386-8394		
Mr. Dwight Washabaugh	Sacramento, CA 95826	Fax:	916/386-8985		dbw46@earthlink.net
Program Coordinator:					
vacant		Phone:	916/386-8394		
Director of Operations and Devel	opment:				
Quinn Gregory		Phone:	916/386-8394		qgregory@earthlink.net
Director of Corpsmember Develo	pment:				
Lorna LaZansky		Phone:	916/386-8394		
Controller/Director of Administrat	ion				
Ms. Kala Dean		Phone:	916/933-1707		kaladean@earthlink.net
San Francisco Conservation C					
Executive Director:	Building 102, Upper Fort Mason	Phone:	415/928-7322		
Ann Cochrane	San Francisco, CA 94123	Fax:	415/928-7330		acochrane@sfcc.org
Controller:		Phone:	415/928-7322	x 305	
Charlie Quaid					cquaid@sfcc.org
Associate Director of Finance:		Phone:	415/928-4345	x 310	
Jennifer Tsoi					jtsoi@sfcc.org
Director of ECO Center:	1050 S. Van Ness, Rm. 201		415/920-7171	x 303	
Jennifer Blenkle	San Francisco, CA 94110	Fax:	415/920-7180		jblenkle@sfcc.org
Presidio contact: Vallery		Phone:	415/561-2178		
San Jose Conservation Corps					
Executive Director:	2650 "A" Senter Road	Phone:	408/283-7171		
Robert Hennessey	San Jose, CA 95111	Fax:	408/288-6521		bob@sjcccharterschool.org
Director of Operations:		Phone:	408/918-1012		
Dorsey Moore					dmoore@sjcccharterschool.org
Controller:		Phone:	408/918-1017		
Charles Kelso		Fax:	408/998-7119		
Recycling Coordinator:	1534 Berger Drive	Phone:		x 11	
Alyssa Rice	San Jose, CA 95112	Cell:	408/595-2043		alyssa@sjcccharterschool.org
Tulare County Conservation Co					
Executive Director:	PO Box 1350	Phone:			
Ms. Carolyn Rose	Visalia, CA 93279	Fax:	559/733-3971		
Recycling Coordinator:	909 W. Murray Avenue				
Carlos Garcia	Visalia, CA 93291				cgarcia@cset.org
Urban Corps of San Diego					
Executive Director:	PO Box 12008	Phone:	619/235-6884		
Mr. Sam Duran	San Diego, CA 92112-3008	Fax:	619/235-5425		
Recycling Program Director:	725 13th Street				
Erwin Sanvictores	San Diego, CA 92101				esanvictores@urbancorps.org